

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Barbara Eliaas et al.,

Plaintiffs,

-against-

The Dinex Group, LLC et al.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/30/2021

1:20-cv-03117 (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

WHEREAS, on March 29, 2021, Plaintiffs' counsel filed a motion for conditional certification of a settlement class and for preliminary approval of a class action settlement (Pls.' 3/29/21 Not. of Mot., ECF No. 74), as well as a memorandum of law and accompanying Declaration (Pls.' 3/29/21 Mem., ECF No. 75; Lee Decl., ECF No. 76); and

WHEREAS, Plaintiffs' submissions are incomplete and raise certain questions for the Court.

NOW, THEREFORE, it is hereby ORDERED that, no later than April 6, 2021, Plaintiffs' counsel shall:

1. File a fully executed version of the Settlement Agreement;¹
2. File the form of Notice of Proposed Settlement ("Notice") that is referred to in Sections 1.20 and 2.3(C) of the Settlement Agreement as Exhibit A;²
3. File a letter addressing the following questions:

¹ The version of the Settlement Agreement filed at ECF No. 76-1 does not contain Plaintiffs' counsel's signature on the last page.

² The version of the Settlement Agreement filed at ECF No. 76-1 does not include an Exhibit A.

- a. Did Defendants stipulate to a class period (referred to in Plaintiffs' memorandum as the "Relevant Period") and, if so, what is the class period?
 - b. What compensation is to be paid to Rust Consulting for its services as claims administrator?
 - c. What percentage of the class speaks a foreign language (*e.g.*, Spanish), and is there a plan to translate the Notice into such foreign language(s)?
4. Send Microsoft Word versions of the Notice, as well as the Proposed Order (ECF No. 76-2), to the Court via email at Aaron_NYSDChambers@nysd.uscourts.gov.

SO ORDERED.

Dated: New York, New York
March 30, 2021



STEWART D. AARON
United States Magistrate Judge